

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

: Hon. Claire C. Cecchi

v.

: Mag. No. 09-4114 (CCC)

EVERETT ABNEY

: ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lee Vartan, Assistant U.S. Attorney), and defendant Everett Abney (by David Holman, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and three continuances having previously been granted by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), so that the parties could attempt to resolve the matter and thereby avoid a possible trial, and the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

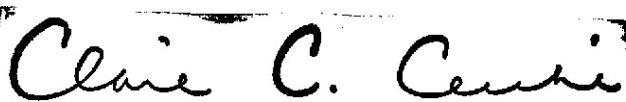
- (1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary; and
- (2) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of

justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 6th day of March, 2010.

ORDERED that this action be, and it hereby is, continued for a period of 60 days from March 6, 2010; and it is further

ORDERED that the period from March 6, 2010 through May 5, 2010 shall be excludable in computing time under the Speedy Trial Act of 1974.

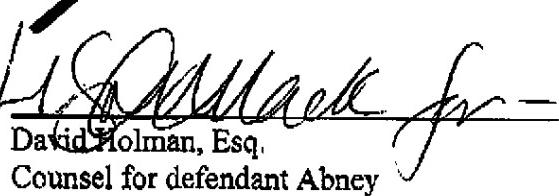


HON CLAIRE C. CECCHI
United States Magistrate Judge

Form and entry consented to:



Lee Vartan
Assistant U.S. Attorney



David Holman, Esq.
Counsel for defendant Abney